

**JANUARY 22, 2008**

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**MOHAMMAD A. AHMAD,** )  
**Plaintiff,** )

**v.** )

**No.:**

**MICHAEL CHERTOFF,** )  
**AS THE DIRECTOR OF** )  
**THE DEPARTMENT OF HOMELAND** )  
**SECURITY, ROBERT S. MUELLER, III)**  
**AS THE DIRECTOR OF FEDERAL** )  
**BUREAU OF INVESTIGATIONS** )  
**Defendants** )

**A# 47 792 107**

**08 C 490**

**JUDGE DOW  
MAGISTRATE JUDGE COX**

**COMPLAINT FOR MANDAMUS**

Plaintiff, MOHAMMAD A. AHMAD, by and through, REEM H. ODEH, of the LAW OFFICES OF BRODSKY & ODEH respectfully requests this Court to enter an order directing the Defendant, MICHAEL CHERTOFF, Director of Homeland Security and ROBERT MUELLER III as Director of the Federal Bureau of Investigations, to adjudicate Plaintiff's application for Naturalization. In support of said request, the Plaintiff states as follows:

**JURISDICTION AND VENUE**

1. The is a civil action brought pursuant to 8 U.S.C. section 1329, and 28 U.S.C. Sections 1331 and 1361, and Section 1447(b) to redress the deprivation of rights, privileges and immunities secured to Plaintiff, by which statutes jurisdiction is conferred, to compel Defendant to perform a duty Defendant owes to Plaintiff, 5 U.S.C. section 704 also confers jurisdiction.

2. Venue is proper under 28 U.S.C. section 1391(b), since Defendant is the Director of the Bureau of Citizenship and Immigration Services (BCIS), an agency of the United States Government, under the Department of Homeland Security. The Defendant Robert S. Mueller III, is the Director of the federal Bureau of Investigations.

**PARTIES**

3. Plaintiff, Mohammad A. Ahmad is a 36 year old native and Citizen of Jordan. He became a Legal Permanent Resident of the United States on February 1, 2001.

4. Plaintiff's alien number is **A#047-792-107**.

5. Defendant, MICHAEL CHERTOFF, is the Director of the Department of Homeland

Security. As such, he is charged with the duty of administration and enforcement of all the functions, powers, and duties of Bureau of Citizenship & Immigration Services, the former INS. The Defendant ROBERT S. MUELLER III, is the Director of the federal Bureau of Investigations.

### **CLAIMS FOR RELIEF**

6. On February 1, 2001 Plaintiff became a Legal Permanent resident of the United States and filed his application to become a Naturalized Citizen of the United States approximately five years later when he became eligible to apply.

7. On April 6, 2006 the Plaintiff appeared for a Naturalization Interview and was given a form which indicates that he passed both parts of the required tests of the interview as required.

8. At the conclusion of the interview, Defendant's agent or employee did not make a decision whether or not to approve Plaintiff's application although Plaintiff had passed the exam.

9. Since the time of the Plaintiff's interview with the Defendant, the Plaintiff has made numerous oral and written requests of the Defendant concerning a final adjudication of said applications.

10. The Defendant, in violation of the Administrative Procedure Act, is unlawfully withholding or unreasonably delaying a decision on the applications of Plaintiff.

11. Plaintiff has exhausted any remedies that may be exist.

WHEREFORE, Plaintiff prays that the Court:

- A. Compel Defendant and those acting under him to perform their duty to rule upon the Plaintiff's applications;
- B. Grant attorney's fees and cost of court
- C. Grant such other and further relief as this Court sees proper under the circumstances.

Respectfully Submitted,

/s/ Reem H. Odeh

Reem H. Odeh

Attorney for Plaintiff

Reem H. Odeh  
Law Offices of Brodsky & Odeh  
8 S. Michigan, Suite 3200  
Chicago, Illinois 60603  
312-701-3000  
312-701-3088(fax)